

# Meeting #4 – Education Worksheet Results Summary

Total responses received: 22

Seven task force members participated. Co-chairs who are facilitating task force operations and compiling final report did not participate.

This task force is information gathering only. Full responses will be submitted with the final report. The Joint Legislative Oversight and Sunset Committee (“JLOSC”) will meet in January 2020 to review the final report.

Tabled Recommendation	JLOSC should NOT consider	JLOSC should consider as written	JLOSC should consider WITH modifications
Rec. 3 – Reduce Teacher Student Ratio	1	9	12
Rec. 22 – Encourage Teachers for the Visually Impaired (TVI) Education	2	11	9
Rec. 25 – Communication with DOE	1	13	8
Rec. 26 – Implementing Education Service Model	5	9	8
Rec. 27 – Braille Instruction for All Students	3	10	9
Rec. 28 – DVI Resources for Individualized Education Program (IEP) Development	4	14	4

Additional Question	YES	NO	NEUTRAL/ UNSURE	PREFER NOT TO ANSWER
Do you believe that education services should relocate to the Department of Education?	10	7	4	1

## Final Report Participation Deadline: Friday, November 8, 2019

If you did not submit a response you may do so by the final report participation deadline. Blank worksheets are on the task force website, Survey Monkey option is available (can be anonymous), or you may submit written comments to the task force co-chairs.

Task force website: <https://bit.ly/2H0lhWC>

## **Meeting #4 – Education Worksheet (Response Summary)**

### **Rec. 3 – Reduce Teacher Student Ratio:**

Based on DVI's request, the Committee will sponsor a bill to amend § 206, Title 14 to reduce teacher/student ratio and provide statutory updates to include digital formats, as follows:

(e) To meet the instructional needs of students ~~who is blind~~ with visual impairments including blindness, the Division for the Visually Impaired shall employ ~~one (1)~~ 1 teacher of students with visual impairments for every ~~28~~ 14 students (or major fraction thereof) who are eligible to receive services from the Agency. All teachers of students with visual impairments including blindness shall provide instructions to satisfy individualized educational programs requiring 12-month entitlement and extended school year services. ~~At least 2 of these teacher units shall be 12-month employees in order to insure competent Braille instruction during the summer months.~~

### **Survey Responses:**

JLOSC should NOT consider: 1

JLOSC should consider as written: 9

JLOSC should consider WITH modifications: 12

### **JLOSC should consider with modifications**

**12 out of 22 respondents selected this option, response summary:**

- According to the National Federation for the Blind (2015) an acceptable student teacher ratio is 10/1 for itinerant models.
- The Association for the Education and Rehabilitation of Persons who are Blind and Visually Impaired (AER) completed a two-year study on caseload and determined that a formula such as the one proposed does not work and they

recommended participating in Quality Programs for Students with Visual Impairments (QPVI) to get a more accurate count of needed professionals. QPVI uses a workload profile to determine staffing needs that are based on the assessed needs of students. Delaware has participated in QPVI for a few years and has increased staff as needed to meet the assessed needs of students. Although a one-14 ratio sounds reasonable if you had 14 early braille students it would be impossible to meet the recommended 1.5-2.0 hours daily instruction.

- At least 6 TVI's should be year-round teachers (12 months) to meet the needs of students with visual impairments statewide. DVI shall contract TVI services to bring it up to the level of service required by the Delaware code to meet the IEP and 504 plan needs of VI students.
- Consider whether the last statement should continue to include 4 teachers at a minimum as 12-month employees. A larger share of students needs extended school year (ESY) services and the commitment should remain to employ multiple teachers on 12-month contracts. This section of Code does not consider the national shortage of teachers for the visually impaired, and if there are additional incentives that can be provided to these special education professionals to attract talent to Delaware.
- Not all students require the same instruction time. Employment should be based on student need and assessed regularly based on current need in the state.
- Reducing ratio could negatively impact DVI's ability to recruit new teachers.

- This is an unattainable goal in the face of the National shortage of TVIs.
- A teacher must be in the classroom with the student(s).
- The ratio should be revised, and based on the number of instructional hours, rather than the number of students, since there are a large number of students receiving monthly consult services.
- Advocates of this community worked collaboratively to revise § 206, Title 14, Chapter 2 and Title 31, Chapter 21, to align state law with federal requirements and evidence-based practices in the areas of service provision to citizens who are blind and visually impaired. In 2009, 2012, and 2015, versions of these recommended legislative changes were collaboratively written with former Directors of DVI in 2009, 2012, and 2015. Members of the community have repeatedly presented these recommendations to DHSS for implementation. To date, DHSS has opted against presenting these recommended changes to the legislature for implementation.
- It is unclear whether the recommendation includes the entirety of legislation outlined in the above-referenced statutory provisions. I espouse a wholesale review and amendment of these statutory provisions. Therefore, this recommendation is not limited to section (e) as outlined within Recommendation 3.
- The necessary statutory changes are broader and not limited to paragraph(e) of section 206, response included recommended draft changes to the entire section of the code.
- Recommended changes to the DVI statute were received and will be included in the full report.

- This is a part of the strategic plan and already in the recommendations from the previous task force. However, without funding, recruitment ability, and competitiveness and culture improvements, such vacancies will continue to plague this organization and students will go unserved as with the current state. DVI must employ those recommendations and incentive ideas documented in the previous task force.
- Best practice in which caseload determination is based on individual student needs as demonstrated by the results of a rigorous and thorough assessment and the IEP process should be supported instead of the student ration of 1:14.
- Caseloads based on a random number only ensures that a teacher will be assigned (X) number of students and no more. It does not ensure students will receive the appropriate service time necessary to meet their educational goals. For example, if a teacher is assigned 14 braille students each requiring 60 minutes of daily instruction, 8 students will receive no service at all. Please see the Association for the Education and Rehabilitation of Persons who are Blind and Visually Impaired white paper titled Caseloads Based on Students' Assessed Needs @ <https://aerbvi.org/resources/publications/position-papers>

## Meeting #4 – Education Worksheet (Response Summary)

### Rec. 3 – Reduce Teacher Student Ratio:

Based on DVI's request, the Committee will sponsor a bill to amend § 206, Title 14 to reduce teacher/student ratio and provide statutory updates to include digital formats, as follows:

(e) To meet the instructional needs of students ~~who is blind~~ with visual impairments including blindness, the Division for the Visually Impaired shall employ ~~one (1)~~ 1 teacher of students with visual impairments for every ~~28~~ 14 students (or major fraction thereof) who are eligible to receive services from the Agency. All teachers of students with visual impairments including blindness shall provide instructions to satisfy individualized educational programs requiring 12-month entitlement and extended school year services. ~~At least 2 of these teacher units shall be 12-month employees in order to insure competent Braille instruction during the summer months.~~

### JLOSC should not consider

**1 out of 22 respondents selected this option, response summary:**

- It is difficult to imagine a scenario where a teacher has fourteen Braille readers on his/her caseload. This ratio would not allow a teacher to serve effectively and efficiently.

## **Meeting #4 – Education Worksheet (Response Summary)**

### **Rec. 22 – Encourage Teachers for the Visually Impaired (TVI) Education:**

DVI shall work to expand public outreach and education programs for TVIs and include information on its website about the need for certified TVI instructors.

Note: Delaware does not have a college certification program for TVIs, and there is a national and state shortage of TVI certified professionals. Kutztown University in Pennsylvania is the closest known program and offers it online.

### **Survey Responses:**

JLOSC should NOT consider: 2

JLOSC should consider as written: 11

JLOSC should consider WITH modifications: 9

### **JLOSC should consider with modifications**

#### **9 out of 22 respondents selected this option, response summary:**

- Given that Kutztown University offers an online program, incentives could be given (tuition reimbursement) for individuals who complete the training in an acceptable time frame. Clearly Delaware needs to look at implementing a higher education program for TVI's.
- Given the shortage of TVI's is national this could potentially increase state revenue by attracting out of state students.
- DVI should offer tuition assistance and reimbursement. DVI should offer a signing bonus upon completion of TVI certification along with an employment contract with a guaranteed commitment of employment services in Delaware for X years.
- Consider adding specifics into recommendation.

- There is a national shortage.
- DVI could implement marketing strategies to attract students to select this career field.
- DVI should continue to seek out highly qualified TVIs on their websites as well as other websites in the field of vision studies.
- DVI should assemble knowledgeable and interested individuals to develop an educational program that fulfills the Delaware Department of Education requirements for TVI Certification and present it as an established entity to a local college or university to be housed online.
- Approximately fifteen years ago, out of frustration with access to speech therapy services in the state, a parent contacted Representative Valerie Longhurst. Representative Longhurst, our current House Majority Leader, heard her constituent, understood the need, and worked tirelessly to right this wrong. One newly elected legislator made a difference in the lives of numerous Delawareans by championing the need to bring speech therapist educational programming to Delaware.
- The formula is already created and Representative Longhurst's successful trail has been blazed. Delaware needs to bring graduate programming for certified TVIs, O&Ms, AT specialists, and other professionals who are specially trained to serve individuals with visual impairments to this state and at least one of its eight colleges and universities in Delaware should receive fiscal and operational support to address this longstanding need.
- Due to limited access to certified TVI, O&M, and AT professionals Delaware requires at least one of its colleges to create a graduate level vision program that would produce vision professionals. Recommend using Representative Longhurst legislation to increase and improve speech therapy services as a template for how to move forward.



- DVI should work with the Governor's office to establish a teacher certification program aimed at increasing the number of certified teachers of the blind at one or more of the institutions of higher learning in Delaware.

## **Meeting #4 – Education Worksheet (Response Summary)**

### **Rec. 22 – Encourage Teachers for the Visually Impaired (TVI) Education:**

DVI shall work to expand public outreach and education programs for TVIs and include information on its website about the need for certified TVI instructors.

Note: Delaware does not have a college certification program for TVIs, and there is a national and state shortage of TVI certified professionals. Kutztown University in Pennsylvania is the closest known program and offers it online.

### **JLOSC should not consider**

### **2 out of 22 respondents selected this option, response summary:**

- DVI successfully recruited 12 special education teachers over the past three years. Seven of which have completed their TVI certification through the Alternate Route to Certification (ARTC) program. The remaining five are in the process of obtaining their TVI certification through the ARTC program.
- DVI participates in a variety of outreach programs such as “Teach in Delaware Day”, a recruiting fair for all undergraduate and graduate students, as well as alumni, who are pursuing or considering careers in K-12 education held annually at the University of Delaware.
- Discussions are being held with universities to explore the development and implementation of a course regarding visual impairments. Other discussions have led to opportunities in which DVI staff members are introducing graduate and undergraduate students to careers related to the field of visually impaired and providing sensitivity training. These career introduction and sensitivity trainings are also being conducted at the high school, middle school, and elementary school levels.

- Under normal operations DVI can utilize social media tools regarding outreach.

## **Meeting #4 – Education Worksheet (Response Summary)**

### **Rec. 25 – Communication with DOE:**

DVI expressed a desire to improve communications between it and the Department of Education (DOE). DVI shall:

- a. Develop and implement communication and procedure guidelines regarding DVI services for students in local school districts.
- b. Review its current Memorandum of Understanding (“MOU”) with the DOE and work to bring meaningful modifications to the agreement.

### **Survey Responses:**

JLOSC should NOT consider: 1

JLOSC should consider as written: 13

JLOSC should consider WITH modifications: 8

### **JLOSC should consider with modifications**

**8 out of 22 respondents selected this option, response summary:**

- There must be a direct link between the DOE and services. TVIs need access to the IEPs and other pertinent information on the students they serve. There should be a collaboration in defining services whether the LEA employs their own TVI or if DVI provides the service.
- Develop and implement communication and procedure guidelines regarding DVI services for students in local school districts. DVI shall participate as a voting member on the GA Council for Exceptional Citizens and with child watch and other agencies and boards that have advisory or oversight of education services for students with disabilities.

- Review its current Memorandum of Understanding (“MOU”) with the DOE and work to bring meaningful modifications to the agreement. To be accomplished by MM/DD/YY DVI should meet no less than every 2 years with DOE to review and make modifications of the MOU between DVI, DOE, and the LEA's. All inter-agency agreements and MOU's information shall be published on the DVI website and shall be open to the public for comments and advocacy. DVI shall establish and publish guidelines for students and families/guardians to file complaints if they are dissatisfied with services from the agency. A committee knowledgeable of educational needs for individuals with visual impairments and other disabilities shall be established to review all decisions made by the DVI resulting from the above complaints. (these members may be from the DOE, GACEC, DLP, or the kids department)
- The MOU needs to be monitored and enforced by DOE.
- Currently there is a MOU that requires changes. See MOU recommended changes submitted to task force.
- Reviewing and updating the current MOU would be beneficial to all entities. The updated MOU could include communication and procedural guidelines.
- DVI and DOE have been meeting on a monthly basis for many years in which updates and challenges are shared. When challenges occur, a plan of action is developed with roles and responsibilities.
- DVI should attend CADRE meetings.
- The Memorandum of Understanding was designed to enhance communications, but it has not been revised and oversight or auditing of compliance does not regularly occur.

- A Memorandum of Understanding governs the collaborative work that should involve DVI, DOE, and the LEAs of this state. Failure to communicate effectively and to defer to an overarching authority related to the education of students with visual impairments and blindness continues to impede effective delivery of educational services to students.
- An outline was provided (which will be included in the full report) that highlights concerns presented to the Lieutenant Governor in April of 2017. The Lieutenant Governor initiated steps to bring the two agencies together to address these concerns, but the MOU has not been updated and certain LEAs appear to be unaware of the responsibilities of all parties involved in the education of students with visual impairment and blindness.

## **Meeting #4 – Education Worksheet (Response Summary)**

### **Rec. 25 – Communication with DOE:**

DVI expressed a desire to improve communications between it and the Department of Education (DOE). DVI shall:

- a. Develop and implement communication and procedure guidelines regarding DVI services for students in local school districts.
- b. Review its current Memorandum of Understanding (“MOU”) with the DOE and work to bring meaningful modifications to the agreement.

### **JLOSC should not consider**

**1 out of 22 respondents selected this option, response summary:**

- DVI already offers training opportunities and encourages participation.
- Since education should be ultimately taken away from DVI, there is no reason to place energy on this recommendation. Additionally, there is no need to place a protocol on something that should be happening already while DVI had education.

## **Meeting #4 – Education Worksheet (Response Summary)**

### **Rec. 26 – Implementing Education Service Model:**

Based on DVI's suggestion, DVI shall implement a fee model to ensure education services are adequately funded.

The following is a suggested model:

Level 1 (up to 8 consults/year) @ \$1,900 per student

Level 2 (1 meeting/week) @ \$4,500 per student

Level 3 (2-3 meetings/week) @ \$12,600 per student

Level 4 (4 meetings/week) @ \$14,300 per student

### **Survey Responses:**

JLOSC should NOT consider: 5

JLOSC should consider as written: 9

JLOSC should consider WITH modifications: 8

### **JLOSC should consider with modifications**

**8 out of 22 respondents selected this option, response summary:**

- Research supports daily instruction for students who are emerging braille or low vision readers, consider adjusting the levels to include daily instruction.
- DVI and the DOE should include fees and terms in the MOU between DVI, DOE, and all LEAs to determine fees structure and penalties when services are not provided. A fee structure would encourage sufficient staff to meet the needs of the population.
- The fee for service model would only be effective should the funding be leveraged toward compensating high skilled TVIs, related service professionals, the provision of accessible instructional materials, and other services that directly benefit the students.



- Consider defining what a meeting would consist of, example: one-hour visit, 10-minute consultation.
- The current funding model is not working so a fee for service model is the most practical alternative to provide equal consistent access to education.
- A model could be adopted from the Eastern Shore of Maryland Educational Consortium. Each of the nine participating school districts submit per capita of the students in their district.
- The fee-based schedule is a move in the right direction, to get the salaries for the Agency TVIs comparable with the School Districts, but it is not fair nor perpetual. Each school district does not know when or how many visually impaired students will arrive in advance. If all the school districts in Delaware participated in contributing per all students enrolled at the start of school, it would be more equitable.
- Consideration of a system that allows DVI to provide services based on a fee per service model would be beneficial. Currently, DVI is unable to provide services to students who receive services in Delaware but reside in neighboring states.
- Consider providing clarification on how the figures were determined.

## **Meeting #4 – Education Worksheet (Response Summary)**

### **Rec. 26 – Implementing Education Service Model:**

Based on DVI's suggestion, DVI shall implement a fee model to ensure education services are adequately funded.

The following is a suggested model:

Level 1 (up to 8 consults/year) @ \$1,900 per student

Level 2 (1 meeting/week) @ \$4,500 per student

Level 3 (2-3 meetings/week) @ \$12,600 per student

Level 4 (4 meetings/week) @ \$14,300 per student

**JLOSC should not consider.**

**5 out of 22 respondents selected this option, response summary:**

- A fee for services should not be implemented as it relates to education. Students who are visually impaired or blind may require additional hours or services than those listed above.
- It is unclear who would pay for substandard services which DVI currently provides.

## **Meeting #4 – Education Worksheet (Response Summary)**

### **Rec. 27 – Braille Instruction for All Students:**

DVI shall provide braille instruction to all students unless assessment indicates otherwise inappropriate.

Option: Codify this recommendation in DVI's governing statute.

### **Survey Responses:**

JLOSC should NOT consider: 3

JLOSC should consider as written: 10

JLOSC should consider WITH modifications: 9

### **JLOSC should consider with modifications**

#### **9 out of 22 respondents selected this option, response summary:**

- The assessment should be conducted no less than every 3 years at the beginning of the school year.
- This is already in federal law, but most states have reiterated in state law.
- Braille instruction is the only literacy tool mandated by IDEA funding. Despite federal mandate, the number of students receiving Braille instruction is on decline.
- Braille literacy is linked to student success, greater independence, success, and personal well-being. It is an effective tool for students to navigate the educational curriculum since braille literacy skills are aligned with grade-level expectations.
- Phrasing should be changed to: "DVI shall provide braille instruction to students if assessment indicates it is appropriate."
- Delaware needs to implement braille instructional standards.

- There are challenges in oversight and monitoring regarding braille instruction.
- Regular assessments of students' braille reading proficiency levels are not conducted.
- The families have the right to refuse braille instruction, if submitted in writing at each IEP meeting.
- If the assessment deems learning braille is inappropriate, DVI should not be pressured to provide a service that is unnecessary, so they can focus efforts on students who need more time.
- Braille instruction is an IEP team decision based on the student's assessment.
- The law states, "In the case of a child who is blind or visually impaired, provide for instruction in Braille and the use of Braille unless the IEP team determines after an evaluation of the child's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or the use of Braille), that instruction in Braille or the use of Braille is not appropriate for the child."
- Teachers would need certifications to teach braille.
- Braille instruction is lawful. Refer back to Recommendation 3 proposed legislative changes. Combine rec#27 with rec#3. It is the IEP that makes that determination not the assessment alone.
- The recommendation should include that the IEP team as a unit, not one individual nor DVI solely, should determine whether a student does or does not receive Braille instruction.

## **Meeting #4 – Education Worksheet (Response Summary)**

### **Rec. 27 – Braille Instruction for All Students:**

DVI shall provide braille instruction to all students unless assessment indicates otherwise inappropriate.

Option: Codify this recommendation in DVI's governing statute.

### **JLOSC should not consider**

**3 out of 22 respondents selected this option, response summary:**

- DVI already follows this practice.
- DVI works collaboratively with DOE to ensure this is addressed thoroughly at all IEP meetings. Evidence of this can be seen by the addition of Box 7 which states:

"If the student is blind or visually impaired, Braille literacy instruction is to be provided regardless of their education classification. If the IEP team has determined, after an evaluation of the child's reading and writing skills, needs, and appropriate media (including an evaluation of the child's future needs for instruction in Braille or the use of Braille), that Braille instruction is not appropriate at this time, a specific explanation of why such services are inappropriate must be provided."

## **Meeting #4 – Education Worksheet (Response Summary)**

### **Rec. 28 – DVI Resources for Individualized Education Program (IEP) Development:**

DVI shall provide expertise to teachers, specialists, and counselors in the development of an IEP.

Option: Codify this recommendation in DVI's governing statute.

### **Survey Responses:**

JLOSC should NOT consider: 4

JLOSC should consider as written: 14

JLOSC should consider WITH modifications: 4

### **JLOSC should consider with modifications**

#### **4 out of 22 respondents selected this option, response summary:**

- Consider rephrasing to providing training or professional development.
- DVI shall provide vision related expertise to teachers, specialists, and counselor in the development of an IEP.
- As a member of the IEP team, DVI already provides expertise to teachers, specialists, and counselors in the development of an IEP.
- The development of procedures to ensure DVI is invited to the IEP meeting is essential. DVI staff has been and continues to experience a lack of notice for IEP meetings. They have either not received notice or received an extremely short notice (2 days).
- The development of mandated release time for DVI to meet with teachers, specialists, and counselors prior to the student entering the classroom and collaboration time throughout the year will create a stronger educational program for the students.

- The recommendation does not fully address the educational needs of all students with visual impairments or blindness who may benefit and are supposed to be served by DVI. Although the focus of these recommendations continues to relate to students with IEPs, students with Section 504 plans or other vision-related services are entitled to services provided by DVI under current statutory law. DVI must not impermissibly limit its education services to students with IEPs.
- Even if the recommendation was specifically drafted to address only IEPs (a methodology that will not work in this context) all members of the IEP team must understand the needs of the student. Parents and students are vital members of an IEP team. The recommendation does not identify them or the other related service providers that most often develop and implement a student's IEP.
- An appropriate recommendation could be drafted that underscores DVI's responsibility to provide services to all students with visual impairments or blindness, regardless of whether they have an IEP, Section 504 plan, or certain VR or ECC needs that do not require development of an IEP. The Department of Education is best suited to oversee these issues and to ensure that students receive a free appropriate education.

## **Meeting #4 – Education Worksheet (Response Summary)**

### **Rec. 28 – DVI Resources for Individualized Education Program (IEP) Development:**

DVI shall provide expertise to teachers, specialists, and counselors in the development of an IEP.

Option: Codify this recommendation in DVI's governing statute.

### **JLOSC should not consider**

### **4 out of 22 respondents selected this option, response summary:**

- The DVI Education Team does provide their professional expertise (to the best of their knowledge) to stakeholders, regardless of environment/setting.
- This recommendation is unclear. There is no other reason to be on an IEP team except to provide professional expertise; however, there is no one individual on the IEP team with single decision-making authority. All IEP provisions are decided by the team and highly influenced by the parent and/or student.
- DVI does not have the expertise nor the resources to complete this task. Therefore, it should not be considered.
- DOE should first evaluate if DVI has the expertise to perform this function.



## **Meeting #4 – Education Worksheet (Response Summary)**

**Additional Question: Do you believe that education services should relocate to the Department of Education? Why or why not?**

### **Survey Responses:**

YES: 10

NO: 7

NEUTRAL/UNSURE: 4

PREFER NOT TO ANSWER: 1

### **YES Responses**

**10 out of 22 respondents selected this option, response summary:**

- There is a distinct advantage to being under the DOE such as alignment with state law and recommendations, easy access to student specific information, and update on state initiatives.
- DVI does not have the resources to pay competitive wages to TVIs like the local districts have. DVI is under Social Services who does not have experience or expertise in educational services. DVI has no oversight to monitor its services.
- They should be a part of DOE because they are providing educational services to students.
- DVI students would benefit from a financial perspective. The student ratio could better align if more funding was available.
- Teachers of the visually impaired and blind should be grouped by schools because sometimes there might be more time needed with one individual over another during a particular week. They need to be governed and directed under the state's special education department and assigned to school districts in order to ensure that all students that are blind and visually impaired are free appropriate public education in a holistic manner.

- The teachers of blind and visually impaired have a specialty, however they need to be fully immersed in the educational plan and process of students. Students that are blind and visually impaired have specific needs and it involves time and commitment not just spending 1-2 hours with each student per week. It is very important that students who are blind and visually impaired acquire the skills necessary to access information and be a part of the general education curriculum as much as possible. Of course, an evaluation of skills is necessary. Students that are blind and visually impaired need to be meeting the same milestones as sighted students. Students spend most of their day in the educational setting and that is the foundation for ensuring that the students are successful post-secondary.
- While the Governor's Advisory Council for Exceptional Citizens (GACEC) has not taken a formal position, it has long been speculated that the appropriate oversight for educational services is DOE. They are the oversight for all other education, they provide professional development on a consistent basis.
- There has been a consistent increase in the number of students with a huge 8% increase in 2015. The increase has leveled off and is now consistent with the general population trajectories in our state. The current DVI education system is dated.
- There is no regulation over the teachers of the Agency. Unlike a District TVI, there are no set observations nor review of lesson plans. If they do not know what they are doing, they don't have anyone more knowledgeable to turn to.
- Other specialized areas are under the Department of Education. i.e. In the State of Delaware there is not a separate State agency for the hearing impaired, autistic, learning disabled, attention deficit, etc.

- There are no programs for the agency staff to join appropriate Professional Development. Many times, a District TVI is required to write the student's IEP, but the Agency TVI sends in their goals to be incorporated into the IEP.
- Relocating services would provide better financial resources and have better access to teachers and instruction.
- DVI does not have the level of knowledge to assess, implement, monitor and/or enforce educational services.
- Teachers (TVI's) and COMS (Certified Orientation and Mobility Specialists, which are classified as special education teachers for salary only, would then be required to meet the same requirements as a special education teacher in the DOE/District structure.
- Certified Orientation & Mobility Specialist currently are not required to have an education degree and are often are educated using an adult model for service delivery, which does not work effectively for children.
- DVI is not properly equipped to implement proper educational services. DOE should have long ago taken this over to ensure that students in Delaware were properly educated.
- Education has long lasting effects on the high unemployment rate in this community and the inability to impact this trend over the decades.
- The current teachers are ill-equipped, have no professional performance standards, nor does the leadership understand how to be transformational to ensure teacher compliance and capability building with the agency.
- The Teachers of the Visually Impaired (TVI) staff under DVI would function better under DOE because they would be able to work closely with DOE staff and communication would benefit.

## **Meeting #4 – Education Worksheet (Response Summary)**

**Additional Question: Do you believe that education services should relocate to the Department of Education? Why or why not?**

### **NO Responses**

**7 out of 22 respondents selected this option, response summary:**

- DVI provides for continuity of services and removing the education unit would negatively affect continuity and impede communication between various sections of DVI including education, Orientation and Mobility, Vocational Rehabilitation, and Independent Living Services.
- The Department of Education wouldn't be able to specialize or individualize the program nearly as well as what DVI is currently doing.
- Relocating education services to DOE would jeopardize and potentially alienate students because of the changes DVI would be required to do.
- DVI's expertise is critical to student's success. I think the blind students would get lost in the shuffle.
- The most effective and comprehensive services are provided by separate service agencies for the blind. With its current placement, students are provided with a continuum of services. A blind person requires an appropriate service system common to no other disability.
- TVIs and COMS work closely with each unit within the Division for the Visually Impaired. Communication and the delivery of services is coherent and efficient. Service for students with visual impairments would become disjointed if moved and place in another Department.

- DVI specializes in providing specialized direct support to the blind/visually impaired of Delaware. The teachers are specifically trained and instructed based on the students' needs and requirements. Careful evaluation, planning and time is taken so that direct support is given to these students in a timely manner.
- If we move all teachers under DOE, students may fall into a bigger system, with less direct support, currently offered by DVI. The communication between what is needed by the students and instructors would be lost.
- The students would have less of a voice to advocate for their needs because the specialized support would be gone, and less time would be taken to evaluate these needs.
- DVI should continue working in conjunction with the schools to ensure both the needs of the student and requirements of the school are met.
- DVI is stronger together and has the benefit of working as one entity which allows DVI to communicate in a more effective and efficient manner, especially with transition-age students.

## **Meeting #4 – Education Worksheet (Response Summary)**

**Additional Question: Do you believe that education services should relocate to the Department of Education? Why or why not?**

**NEUTRAL/UNSURE Responses** – respondents provided comments but either did not select a yes or no response or indicated in their responses that they were not sure.

**4 out of 22 respondents were neutral or unsure, response summary:**

- The host agency is not necessarily an impediment to the provision of services. Regardless of where these services are housed, they need to be treated as an entitlement service commensurate with all other education services (FAPE), Medicaid, and other programs that our citizens have a right to should they be considered eligible.
- It is also recommended that the JLOSC review the funding agreement between DOE and DVI. DVI has historically provided the salary of teachers as match to DOE annually and received in return 150K per year. With over 1 million in salaries being recorded by DOE as provided by DVI annually, DVI should receive a much larger match annually in federal funds.
- Under DOE the TVI's would become more accountable for following protocol and requirements for completing functional vision assessments, however the transition to DOE may lend itself to discontinuing the special socialization activities currently afforded to them.
- Delaware requires program oversight authority.

- JLOSC should determine the best organizational structure and oversight design to provide innovative, research based, technologically advanced services to all individuals who are blind or visually impaired so that each person is able to live independently to his/her extent possible and the service provisions mandated in Titles 14 and 31 are kept relevant and expertly accomplished.
- Students should be educated in a system with checks and balances that is resourced to provide quality education by exceptionally qualified professionals.
- DVI has no IDEA oversight, authority, nor obligation. IDEA is not enforceable through DVI.
- Delaware HB226 requires a three-tiered licensure and certification program that is not established in DVI.
- There has been no effort to secure services with funding provisions through legislation.
- Titles 14 and 31 have not been updated in more than two decades. Title 31 still refers to the agency as a Commission.
- The leadership changes and employee turnover continue to degrade organizational effectiveness. The seriousness of this for the community, particularly for young people, is dire.
- DVI does not receive direct oversight from any agency or authority with specific expertise related to the education of students. Moreover, DHSS and DVI assert that they are not subject to the Procedural safeguards outlined in Section 1415(a) of the IDEA because they are not recipients of assistance under the statute.

- The safeguards outlined in Section 1415(a) are designed to ensure that children with disabilities and their families maintain certain guarantees and remedies to ensure receipt of a Free Appropriate Public Education (FAPE) from such agencies. DVI had previously taken the position that they are free to make determinations that impact the provision of FAPE to students to whom the agency provides educational services but is not ultimately responsible or accountable if FAPE does not occur. This position has caused certain local education agencies in Delaware to hire their own vision professionals and/or to engage the Department of Education to remediate issues when they arise related to fidelity to a student's IEP or other education related issues.
- It is unclear if every student previously denied special education services under the narrowed regulations in effect prior to early 2018 has been reassessed. If reassessments have not occurred, there are likely students with visual impairments or blindness in Delaware who are not receiving services necessary to ensure that they receive FAPE.
- DVI by its own admission does not receive funding sufficient to adhere to the evidence-based requirements for provision of education-related services to students.
- Proper funding, oversight, auditing and monitoring, corrective action, expertise, and lawful implementation of federal and state laws and regulations are required to serve students with visual impairments properly and blindness properly. Although DVI has not historically enjoyed the benefit of appropriate funding and oversight of its programming designed to provide educational services to students with visual impairments and blindness, the IDEA's overarching purpose remains the same: the statute must be construed broadly to include as many children with disabilities as possible.



- Delaware's students with visual impairments and blindness deserve a chance in life. That chance is inextricably tied to the caliber of education-related services they receive. My son has waited for twelve years for definitive action. He now travels two and one-half hours each day to a school in another state to receive an appropriate education. How long is too long for this state to wait to resolve obvious deficiencies with educational programming for students with visual impairments?
- JLOSC should consider moving the responsibility for educating students with visual impairments and blindness to a state agency that accepts responsibility for providing procedural safeguards to students and families required under IDEA and maintains the ability to serve properly all students who qualify for educational services under IDEA, Section 504, and/or other legal requirements. DVI does not currently meet these criteria.
- JLOSC should consider commissioning an expert or consulting firm with expertise to conduct an intensive review of all previously assessed students with visual impairments or blindness and all individuals 0-21 (or age before graduation) identified in the DVI registry to determine the extent to which those students are now eligible to receive special education services under IDEA or educational assistance under Section 504.
- JLOSC should consider recommending the hiring of a Statewide Director for Education of Blind and Visually Impaired students to oversee the education program. This person must maintain expertise in organizational leadership, personnel development, strategic planning, and educational administration. Without the appropriate leadership in place, the educational program will not progress to a level of excellence that our students deserve. (See Maryland model)